

MINUTES

**North Dakota State Water Commission
Telephone Conference Call Meeting
Bismarck, North Dakota**

May 12, 1992

The North Dakota State Water Commission held a telephone conference call meeting in the Lewis and Clark Room, State Capitol, Bismarck, North Dakota, on May 12, 1992. Chairman, Lieutenant Governor Lloyd Omdahl, called the meeting to order at 3:00 PM, Central Daylight Time, and requested State Engineer and Chief Engineer-Secretary, David Sprynczynatyk, to call the roll. The Chairman declared a quorum was present.

MEMBERS PRESENT:

Lieutenant Governor Lloyd Omdahl, Chairman
Sarah Vogel, Commissioner, Department of Agriculture, Bismarck
Joyce Byerly, Member from Watford City
Marjorie Farstveet, Member from Beach
Jacob Gust, Member from West Fargo
Lorry Kramer, Member from Minot
Norman Rudel, Member from Fessenden
Jerome Spaeth, Member from Fargo
David Sprynczynatyk, State Engineer and Chief Engineer-Secretary, North Dakota State Water Commission, Bismarck

MEMBER ABSENT:

Daniel Narlock, Member from Grand Forks

OTHERS PRESENT:

State Water Commission Staff Members
Kris Moelter, Assistant Attorney General

The meeting was recorded to assist in compilation of the minutes.

APPROVAL OF AGENDA

There being no additional items for the agenda, the Chairman declared the agenda approved and requested Secretary Sprynczynatyk to present the agenda.

**SOUTHWEST PIPELINE PROJECT -
CONSIDERATION AND APPROVAL
OF AWARD OF CONTRACTS 2-3E
AND 2-3F, MAIN TRANSMISSION
PIPELINE
(SWC Project No. 1736)**

diameter. The engineer's estimate for this contract was \$4,382,544.10.

On April 23, 1992, bids were opened for two segments of the main transmission pipeline for the Southwest Pipeline project. Contract 2-3E consists of 21.92 miles of ductile iron pipe ranging from 20-inch to 16-inch

Contract 2-3F consists of 14.25 miles of 12-inch and 14-inch diameter ductile iron pipe. The engineer's estimate for this contract was \$2,304,277.80.

Dale Frink, Director, State Water Commission Water Development Division, presented information relating to the projects and contracts and stated the low bids for both contracts were submitted by Larry's, Inc., of Gillette, Wyoming. The bid for Contract 2-3E was \$4,009,734.10, and for Contract 2-3F the bid was \$2,210,490.30.

Mr. Frink said Larry's, Inc. is a reputable contractor with adequate equipment and forces to perform this work. The firm has installed ductile iron pipe for the WEB project in South Dakota with good results.

Secretary Sprynczynatyk indicated the bids have been submitted to the Bureau of Reclamation for approval.

It was the recommendation of the State Engineer that the State Water Commission approve award of Southwest Pipeline Project Contracts 2-3E and 2-3F to Larry's, Inc., of Gillette, Wyoming, contingent upon approval by the Bureau of Reclamation.

It was moved by Commissioner Gust and seconded by Commissioner Rudel that the State Water Commission approve the award of Contracts 2-3E and 2-3F to Larry's Inc., Gillette, Wyoming, for segments of the main transmission pipeline for the Southwest Pipeline Project, contingent upon approval by the Bureau of Reclamation.

Commissioners Byerly, Farstveet, Gust, Kramer, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

May 12, 1992

**SOUTHWEST PIPELINE PROJECT -
CONSIDERATION AND APPROVAL
OF AWARD OF CONTRACT 3-1B,
SECOND TANK AT ZAP RESERVOIR
(SWC Project No. 1736)**

the project with prices ranging from \$658,323 to \$371,804. He said the apparent low bidder is Advance Tank and Construction Co. of Wellington, Colorado. This is the same firm that built the Richardton tank under subcontract with Agassiz Construction. Mr. Frink indicated that performance of this firm at Richardton was satisfactory.

On May 5, 1992, bids were opened for Southwest Pipeline Project Contract 3-1B for the second steel tank at the Zap Reservoir. Dale Frink indicated five bids were received for

Secretary Sprynczynatyk indicated the results of the bids have been submitted to the Bureau of Reclamation for approval.

It was the recommendation of the State Engineer that the State Water Commission approve award of Southwest Pipeline Contract 3-1B to Advance Tank and Construction Co., Wellington, Colorado, contingent upon approval by the Bureau of Reclamation.

It was moved by Commissioner Byerly and seconded by Commissioner Vogel that the State Water Commission approve the award of Contract 3-1B to Advance Tank and Construction Co., Wellington, Colorado, for the second steel tank at the Zap Reservoir for the Southwest Pipeline Project, contingent upon approval by the Bureau of Reclamation.

Commissioners Byerly, Farstveet, Gust, Kramer, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**MISSOURI RIVER UPDATE -
FILING OF LAWSUIT BY
STATE OF MISSOURI AGAINST
CORPS OF ENGINEERS
(SWC Project No. 1392)**

Secretary Sprynczynatyk informed the Commission members that a lawsuit has been filed by the State of Missouri against the US Corps of Engineers contending that the Corps has illegally shortened the navigation season on the Missouri River each of the last five years. The lawsuit is asking the US District Court to require the Corps to provide enough water for a

May 12, 1992

full navigation season from April 1 to November 30 for this year and in the future despite prolonged drought in the upper river basin.

There being no further business to come before the State Water Commission, it was moved by Commissioner Byerly, seconded by Commissioner Gust, and unanimously carried, that the State Water Commission telephone conference call meeting adjourn at 3:15 PM.


Lloyd B. Omdahl
Lieutenant Governor-Chairman

SEAL


David A. Spryngzmatyk
State Engineer and
Chief Engineer-Secretary

May 12, 1992